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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/254,242 03/02/99 NIEDERMAIR

G P990100

EXAMINER

WM02/0920

SCHIFF HARDIN & WAITE
PATENT DEPARTMENT
6600 SEARS TOWER
CHICAGO IL 60606-6473

OPSASNICK, M

ART UNIT

PAPER NUMBER

2645

DATE MAILED:

09/20/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/254,242

Applicant(s)
Niedermair

Examiner
Michael N. Opsasnick

Art Unit
2645



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Dec 21, 2000
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 20) ☐ Other:

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DETAILED ACTION

Claims

1. Examiner notes that the claims contain several instances of the phrase “and/or” and reminds applicant that in such instances, the scope of the claim language will be interpreted as “or”, that is, in the alternative. With this in mind, examiner also reminds applicant that with this interpretation, art that reads on one of the instance in the alternative reads on all of the examples that are listed in the alternative. (For example, in claim 7, prior art containing one of the elements listed in the claim language will read on the entire list of elements because of the claim language “one of the following”, and the claim language “and/or” present in the claim.)

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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3. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Hsu (5677991).

As per claim 1, Hsu (5677991) teaches a speech processing system comprising a plurality of speech recognition modules (Fig. 2 subblocks 41, and 43) and a plurality of speech output modules (Fig. 2 subblocks 53 and 57), respectively constructed for a particular type of speech recognition or speech output (as both recognition and outputs are for isolated speech recognition (ISR) and continuous speech recognition (CSR)). Hsu (5677991) also teaches a selector for a certain speech recognition module based on the input signal (as separately determining the scores for each of an ISR and CSR analysis, and choosing the appropriate method of recognition based on the scores of each analysis -- Fig. 3).

As per claim 2, Hsu (5677991) teaches the selection process is controlled by the selector (in this case, the selector choosing the scale factor based on the evaluation -- Fig. 3, subblocks 81, 83, and 85).

As per claim 3, Hsu (5677991) teaches the speech output module (Fig. 2 subblock 61) realized in the post processing module (Fig. 2 subblock 59)

As per claim 4, Hsu (5677991) teaches common resource use of the ISR and CSR (as the avoidance scaling -- Fig. 2 subblock 51)

As per claim 5, Hsu (5677991) teaches user dialog (Fig. 1, subblock 11, col. 2 lines 1-17)

As per claim 6, Hsu (5677991) teaches processing of input signal of user dialog (Fig. 1 subblocks 15 and 17)

As per claim 7, Hsu (5677991) teaches ISR and CSR.

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Method claims 8-10 are similar in scope to claims 1 and 3 above and are therefore rejected under the same rationale presented above.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lleida et al (5832430)

Schlang et al (4903304)

Yegnanarayanan et al (5794196)

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (703)305-4089.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Fan Tsang, can be reached at (703)305-4895. The facsimile phone number for this group is (703)308-6306.

Any inquiry of a general nature or relating to the status of this applications should be directed to the Group receptionist whose telephone number is (703)305-3900.

September 15, 2001
mno

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

